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## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 5150  
Kathy Weinman )  
 )

## CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe Kathy Weinman ("Respondent") made an excessive contribution to the Missouri Democratic State Committee (the "Committee") in violation of 2 U.S.C. §441a(a)(1)(C).

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. §437g(a)(4)(A)(i).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
  1. No person shall make contributions to any other political committee in any calendar year which, in the aggregate, exceed \$5,000. 2 U.S.C. §441a(a)(1)(C).

21-04-403-2764

2. On April 5, 1996, the Respondent made a \$25,000 contribution to the Committee. This contribution exceeded the limitation by \$20,000.
3. In a check dated November 7, 1999, the Committee refunded the \$20,000 excessive portion of the Respondent's contribution.

V. In a sworn statement submitted by the Respondent, she contends that:

1. Respondent worked with members of the Committee to pass legislation to protect battered women and children.
2. Respondent was unaware of the contribution limits imposed by federal law.
3. Respondent was solicited by phone to make a \$25,000 contribution to the Committee.
4. Because the Respondent was asked by a Committee representative to contribute \$25,000 to the Committee, Respondent did not believe that she was violating any laws.
5. Respondent received a letter from the Committee in November of 1999 that stated that Respondent was only allowed to contribute \$5,000 by law. The letter asked for her permission to redesignate \$20,000 to another political campaign fund. At the bottom of the page, the letter stated that she could request \$20,000 to be refunded.
6. Respondent requested a refund of the \$20,000.
7. After requesting the refund of the excessive portion of the contribution, Respondent received a call from the individual who initially solicited her contribution\_expressing disappointment in the Respondent's decision to

21-04-403-2765

request a refund.

VI. Respondent made an excessive contribution to the Committee in violation of 2 U.S.C. §441a(a)(1)(C).

VII. Respondent will pay a civil penalty to the Federal Election Commission in the amount of \$4,000.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

21-04-1403-2766

FOR THE COMMISSION:

Lawrence M. Noble

General Counsel

BY:

*Kim Leslie Bright*

*2/6/01*

Kim Leslie Bright

Date

Associate General Counsel

FOR THE RESPONDENT:

*Kathy Weinman*

*1/15/2001*

Kathy Weinman

Date

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